

REMARKS

Upon entry of the present amendment, no claims will have been canceled, amended or added. Rather, Applicant respectfully traverses the rejections set forth by the Examiner and requests reconsideration thereof together with allowance of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant wishes to thank the Examiner for approving the drawings filed on July 9, 2003. Applicant further wishes to thank the Examiner for acknowledging receipt of his Claim for Foreign Priority under 35 U.S.C. § 119 as well as for confirming receipt of the certified copy of the foreign priority document.

However, on October 9, 2003, Applicant filed an Information Disclosure Statement together with copies of references and a PTO-1449 Form. In the outstanding Official Action, the Examiner did not confirm consideration of the references cited in the above-noted Information Disclosure Statement. Accordingly, Applicant respectfully requests the Examiner to confirm consideration of the properly cited references filed on October 9, 2003 by forwarding, in the next Official Action, a signed and initialed copy of the PTO-1449 Form that was attached to the above-noted Information Disclosure Statement.

Should a copy of the Information Disclosure Statement and references not be of record in the file at the U.S. Patent and Trademark Office, the Examiner is respectfully requested to contact the undersigned, who will endeavor to provide a duplicate copy of the references so that they can be considered and so that the file of the present

application can be complete. The Examiner is respectfully thanked in advance for his cooperation in this matter.

In the outstanding Official Action, the Examiner rejected claims 1-3 and 9-11 under 35 U.S.C. § 102(b) as being anticipated by BLUM (U.S. Patent No. 5,219,497). Additionally, claims 4-8 were rejected under 35 U.S.C. § 103 as unpatentable over BLUM and further in view of UMEDA (U.S. Patent No. 5,864,380). Applicant respectfully traverses the above rejections.

Applicant's invention is directed to a multifocal spectacle lens having a front surface and a back surface. Each of the front and back surfaces is formed as one of a multifocal surface and a progressive power surface. The distribution of refractive power on the front surface and on the back surface are different from each other.

It is respectfully submitted that the combination of features defining Applicant's invention as recited, e.g., in claim 1, is not taught, disclosed nor rendered obvious by the prior art of record. In particular, the BLUM reference relied upon by the Examiner under 35 U.S.C. § 102 and as the primary reference in the rejection under 35 U.S.C. § 103 does not disclose or teach the above-noted combination of features.

As result of the combination of features defining Applicant's invention, including the difference in distributions of surface powers on the front surface and on the back surface, it is possible to design the back surface to have, for example, an optimum progressive power based on/or in response to the configuration of the front surface. In other words, as a result of the combination of features of the present invention, one can design the back surface to have optimum progressive power based on a power distribution of the front surface.

Accordingly, and as a result of the features and advantages of the present invention, the combination of front and back surfaces enables production of a lens having sufficient optical performance to cover the requirements of various specifications and prescriptions of a wide range of customers.

The advantages of Applicant's invention are not taught, disclosed nor rendered obvious by the BLUM reference relied upon by the Examiner. Moreover, the features of Applicant's invention are explicitly set forth in the disclosure at, inter alia, paragraph [0105]. With regard to the second embodiment as an example, the back surface has optimum progressive power based upon the power of the front surface. The back surface is provided with power for astigmatism correction. Accordingly, the front and back surfaces provide adequate and sufficient optical performance to cover the requirements of various types of specifications and prescriptions. Similar features are set forth in paragraph [0140].

As noted above, BLUM does not disclose the combination of features recited, e.g., in Applicant's claim 1. In particular, BLUM does not disclose a multifocal spectacle lens having front and back surfaces each of which is formed as one of a multifocal surface and a progressive power surface wherein the refractive power distribution of the front surface is different than the refractive power distribution of the back surface.

In addressing this aspect of Applicant's invention, the Examiner cites and directs Applicant's attention to column 5, lines 59-61 of BLUM. However, neither the cited portion of BLUM nor the remainder of BLUM supports the Examiner's position that the distributions of surface power of the front and back surfaces are different from each other. The cited portion of the BLUM reference merely states that a multifocal or

progressive region can be added to the front lens surface, the back lens surface or to both of them. However, BLUM does not disclose or teach that when a multifocal surface is added to one of the lens surfaces and a progressive region is added to the other of the lens surfaces, the distributions of refractive power are different from each other. BLUM is absolutely silent in this regard and thus can provide no teachings with respect to this feature.

Of course, in the situation where a multifocal or progressive region is formed on only one of the front lens surface and the back lens surface (an the other surface is planar or flat), the features of claim 1 are also not satisfied because claim 1 requires that each of the front and back surfaces are formed as either one of a multifocal surface and a progressive power surface. Accordingly, no reasonable interpretation of column 5, lines 59-61 of BLUM supports the Examiner's position that BLUM anticipates the combination of features recited in Applicant's claim 1.

Moreover, the Examiner asserts that Figs. 6 and 7 of BLUM disclose a multifocal spectacle lens with the front surface formed to be a multifocal surface and the back surface formed to be a progressive power surface. It is respectfully submitted that the Examiner is incorrect. In particular, while Fig. 6 does disclose a front view of a bifocal lens, Fig. 7 of BLUM is described as showing a front view of a mold and preformed lens showing physical displacement of the optical center of the preformed lens with respect to the mold portion corresponding to an optical segment and also showing the astigmatic axis fixed for a specific prescription. Similarly, column 5, lines 64-67 (cited with respect to claim 9) and column 7, lines 59-63 (cited with respect to claim 11), also do not disclose the difference in refractive power between the front and back surfaces.

P23555.A02

Accordingly, it is respectfully submitted that the Examiner's rejection is inappropriate and reconsideration and withdrawal thereof is respectfully requested.

Turning to the rejection of claims 4-8 under 35 U.S.C. § 103, it is respectfully submitted that UMEDA does not overcome or supply at least the above-noted deficiency of BLUM. Moreover, the quoted portion of UMEDA relates to an intermediate vision portion which can comprise a progressive zone having a progressive change in refractive power of the lens between the power of the near vision portion and the distance vision portion. According to UMEDA, the progressive zone provides a minimization of rotational fatigue. Such an intermediate progressive portion is however irrelevant to the features of Applicant's claim 4 and thus the motivation relied upon by the Examiner does not apply herein. At least for this additional reason, Applicant respectfully submits that the Examiner's rejection of claims 4-8 is also inappropriate. Accordingly, reconsideration and withdrawal thereof is respectfully requested.

Applicant notes with appreciation the Examiner's indication of allowable subject matter with respect to claims 12-15. Moreover, Applicant notes the Examiner's Statement of Reasons for Allowance. In this regard, while Applicant does not necessarily disagree with any of the bases enumerated by the Examiner, Applicant further points out that each of Applicant's claims recites a combination of features and that the patentability of each claim is also based upon the totality of the features recited therein. Accordingly, the reasons for allowability should not necessarily be limited to those features enumerated by the Examiner.

P23555.A02

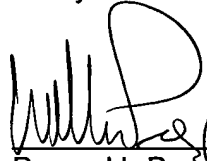
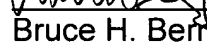
Thus, Applicant respectfully requests confirmation of consideration of the Information Disclosure Statement filed, reconsideration of the outstanding rejections and an indication of the allowability of all the claims pending herein, in due course.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has discussed the disclosures of the references cited by the Examiner and has pointed out the shortcomings thereof. Applicant has further discussed the features of Applicant's invention and has pointed out how the prior art cited by the Examiner does not anticipate or render unpatentable the combination of features recited herein. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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